

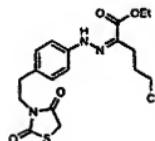
REMARKS

Claims 1, 6-8, 10, 14, and withdrawn claims 15, 16, 18-19 are amended; claims 2-5, 9, 11-13, 16-17 are canceled; and new claims 24-28 are added. Support is found, for example, at page 9, lines 5-14, page 9, line 36 to page 10, line 33, page 21, lines 23-24, the examples in the specification and the claims as originally filed. No new matter is presented.

I. Election/Restriction

The Examiner has acknowledged Applicant's election without traverse of Group I and the further election of the compound of Example 3 (4-pyridinecarboxyaldehyde 4-(oxazole-5-yl)phenylhydrazone) at page 115 of the specification in the Reply filed on July 8, 2008.

The Examiner indicates that the elected species is not allowable and the search has been expanded to the following compound, which also is not found allowable.



The Examiner further indicates that claims 1-6 and 9-15 have been examined to the extent that they are readable on the elected embodiment, the elected species and the additional species compound above. According to the Examiner, subject matter which is not embraced by the elected embodiment is withdrawn from further consideration and claims 7, 8 and 16-19 are considered as being drawn to non-elected subject matter and withdrawn from consideration.

II. Response to Objection to the Specification

The Examiner indicates the Abstract of the disclosure is objected to because it is more than 150 words.

The Abstract is replaced with a new Abstract, thereby obviating the objection.

Accordingly, Applicants respectfully request withdrawal of the objection to the specification.

III. Response to Claim Objections

Claims 1-6 and 9-15 are objected to as containing non-elected subject matter. The Examiner states that claims 1-6 and 9-15 drawn solely to the elected embodiment would overcome this objection.

Applicants respectfully submit that the present claims as amended are not anticipated nor rendered obvious by the art of record nor is the elected species anticipated or rendered obvious by the art of record as discussed below. Thus, Applicants submit that the present claims should be examined in accordance with the provisions of MPEP § 803.02.

Accordingly, Applicants respectfully request withdrawal of the objection to the claims.

IV. Response to Claim Rejections under 35 U.S.C. § 112

A. Claims 1-6 and 9-15

Claims 1-6 and 9-15 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for products of the formula (I) or salt thereof, allegedly does not reasonably provide enablement for solvates of said product.

The claims are amended to delete “solvates”, thereby obviating the rejection.

B. Claims 11-14

Claims 11-14 are rejected under 35 U.S.C. § 112, 1st paragraph, because the specification, while being enabling for products of formula (I) as agents inhibiting aggregation of amyloid protein and agents for treating Creutzfeldt-Jakob disease (CJD) and Gerstmann-Straussler-Scheinker syndrome (GSS), allegedly does not reasonably provide enablement for inhibiting aggregation and/or deposition of amyloid-like protein, for agents for the treatment of any other disease or agents for the prevention of any disease.

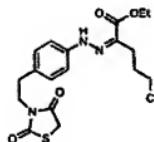
Claims 11-13 are canceled herein and claim 14 is limited to an agent for treating CJD and GSS, thereby rendering the rejection of these claims moot.

Accordingly, Applicants respectfully request withdrawal of the §112 rejections.

V. Claim Rejections under 35 U.S.C. § 102

Claims 1-6 and 9-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Moloney et al (XP-002423191).

The Examiner relies on the following compound 58 in scheme 7a at page 2351:



Without conceding the merits of the rejection, claim 1 is amended herein. Moloney et al does not disclose, teach or suggest a compound within the scope of the present claims. Thus, the present invention is not anticipated nor rendered obvious.

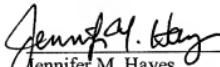
Accordingly, Applicants respectfully request withdrawal of the rejection.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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